

UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

FILED
U.S. BANKRUPTCY COURT
2020 SEP 29 PM 1:47
S.D. OF N.Y.

IN RE:

SEARS HOLDINGS CORPORATION, *et al*,

Debtors.

Chapter 11

Case No. 18-23538 (RDD)

(Jointly Administered)

**RESPONSE OF MARION COUNTY TREASURER
TO DEBTOR'S TWENTY-SECOND OMNIBUS OBJECTION**

COMES NOW the Treasurer of Marion County, Indiana, by and through counsel, and for its Response to Debtor's Twenty-Second Omnibus Objection's [Doc 8452] (hereinafter referred to as "the objection") states as follows:

I. CLAIM NO. 19832

1. The objection indicates that the Treasurer's claim for unsecured, priority taxes under claim number 19832 has been paid. However, there is a remaining balance of \$155.36 for parcel D105700. *See* current tax bill attached hereto as Exhibit A.

2. Claim number 19832 was for 2018 payable 2019 taxes. The amounts claimed for Parcels D513520, F532285, and I116980 have been satisfied. The charges for parcel F193112 were removed by the Marion County Assessor's office and that parcel has been deactivated.

II. CLAIM NO. 19833


1. The objection indicates that the Treasurer's claim number 19833 has been paid. However, no such alleged payments have been received to date.

2. The claim includes taxes for 2017 payable in 2018 and an estimate of 2018 payable in 2019 for parcels C100512 and I501578, which are priority taxes pursuant to 11 USC § 507.

3. As of the date of this response, no payments have been received for the aforementioned parcels. There remains an outstanding balance of \$20,800.66. *See* current tax bills attached hereto as Exhibits B and C.

WHEREFORE, the Marion County Treasurer requests that Proof of Claim Nos. 19832 and 19833 be allowed as priority claims, that the amount be modified to \$20,956.02, that the Objection to these claims be overruled, and for all other just and proper relief.

Respectfully submitted,

By: 
Douglas J. DeGlopper
Attorney for Marion County Treasurer
318 East 64th Street
Indianapolis, IN 46220
(317) 403-0098
ddeglopper@aol.com

CERTIFICATE OF SERVICE

I do hereby certify that a copy of the foregoing Response to Debtor's 22nd Omnibus Objection has been served upon counsel of record listed below by electronic notice or United States first class postage pre-paid on this 23rd day of September, 2020.

Clerk of the Court
United States Bankruptcy Court
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

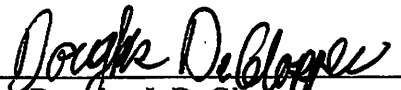
Honorable Robert D. Drain
United States Bankruptcy Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Weil, Gotshal & Manges, LLP
Attn: Ray C. Schrock,
Jacqueline Marcus,
Garrett A. Fail, and
Sunny Singh
767 Fifth Avenue
New York, NY 10153

Akin Gump Strauss Hauer & Feld LLP
Attn: Philip C. Dublin, Ira Dizengoff, and
Sara Lynne Brauner
One Bryant Park
New York, NY 10036

Office of the US Trustee
U S Federal Building
201 Varick Street, Ste 1006
New York, NY 10014

By:


Douglas J. DeGlopper

Attorney for Marion County Treasurer

Main Document

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SPRING INSTALLMENT REMITTANCE COUPON

\$0.00

0120000000000000D1057003

~~\$160.96~~

02200000016036D1057008

60179

Exhibit A

| | | | |
|--|---------------------------------|-------------------------------|---|
| STATE PARCEL NUMBER | COUNTY PARCEL NUMBER C100512 | TAX YEAR 2019 Payable 2020 | Late Payment Penalty: 5% penalty after May 11, 2020, if there is no delinquent amount; 10% penalty for previous delinquency or if payment is made after June 10, 2020 |
| TAXING UNIT NAME 300/300 FRANKLIN OUTSIDE | LEGAL DESCRIPTION | | |

TOTAL AMOUNT DUE by May 11, 2020 \$0.00

KMART CORPORATION #7431
 SEARS HOLDING CORP
 TAX DEPT BC-151A
 3333 BEVERLY RD
 HOFFMAN ESTATES, IL 60179

(317) 327-4444 ■ Pay Online at: treasurer.indy.gov

Remit Payment and Make Checks Payable to:

MARION COUNTY TREASURER

P.O. Box 6145

Indianapolis, IN 46206

01200000000000C1005122

COUNTY:49-MARION

FALL INSTALLMENT REMITTANCE COUPON

| | | | |
|--|---------------------------------|-------------------------------|--|
| STATE PARCEL NUMBER | COUNTY PARCEL NUMBER C100512 | TAX YEAR 2019 Payable 2020 | Late Payment Penalty: 5% penalty after November 10, 2020, if there is no delinquent amount; 10% penalty for previous delinquency or if payment is made after December 10, 2020 |
| TAXING UNIT NAME 300/300 FRANKLIN OUTSIDE | LEGAL DESCRIPTION | | |

TOTAL AMOUNT DUE by November 10, 2020 \$5,004.10

KMART CORPORATION #7431
 SEARS HOLDING CORP
 TAX DEPT BC-151A
 3333 BEVERLY RD
 HOFFMAN ESTATES, IL 60179

(317) 327-4444 ■ Pay Online at: treasurer.indy.gov

Remit Payment and Make Checks Payable to:

MARION COUNTY TREASURER

P.O. Box 6145

Indianapolis, IN 46206

02200000500410C1005126

COUNTY:49-MARION

TAXPAYER'S COPY-KEEP FOR YOUR RECORDS

| | | | |
|--|---------------------------------|-------------------------------|--|
| STATE PARCEL NUMBER | COUNTY PARCEL NUMBER C100512 | TAX YEAR 2019 Payable 2020 | DUE DATES SPRING - May 11, 2020 FALL - November 10, 2020 |
| TAXING UNIT NAME 300/300 FRANKLIN OUTSIDE | LEGAL DESCRIPTION | | |

| | |
|--|------------------------|
| PROPERTY ADDRESS 5101 E THOMPSON RD | |
| PROPERTY TYPE Business Personal | TOWNSHIP 3-FRANKLIN |
| ACRES 0.00 | BILL CODE 811 |
| LOCAL HS 02.67/\$0.00 | |

DATE OF STATEMENT:9/23/2020

| TOTAL CHARGES | SPRING TOTAL | FALL TOTAL |
|-------------------------|---------------|-------------------|
| Tax | \$0.00 | \$0.00 |
| Other Assessment (OA) | \$0.00 | \$0.00 |
| Delinquent Tax | \$0.00 | \$4,912.80 |
| Delinquent Penalty | \$0.00 | \$899.52 |
| Delinquent OATax | \$0.00 | \$0.00 |
| Delinquent OA Penalty | \$0.00 | \$0.00 |
| Fees | \$0.00 | \$10.00 |
| Auditor Corrections | (\$818.22) | \$0.00 |
| Total Payments | \$0.00 | \$0.00 |
| Total Amount Due | \$0.00 | \$5,004.10 |
| Surplus | \$0.00 | \$0.00 |

KMART CORPORATION #7431
 SEARS HOLDING CORP
 TAX DEPT BC-151A
 3333 BEVERLY RD
 HOFFMAN ESTATES, IL 60179

60179

Important Information

*To pay by eCheck, credit card or phone, sign up for e-billing, view tax statement or contact our office for more information visit treasurer.indy.gov or call 317-327-4444.

*Establish a payment plan or make partial payments. Any unpaid balance as of the due date will incur an additional penalties. Note: All payments are applied to oldest delinquencies unless directed in writing.

*You can receive your tax statement much earlier via e-mail delivery. Enroll online. Also view e-payment options at: treasurer.indy.gov

Exhibit B

COUNTY:49-MARION

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SPRING INSTALLMENT REMITTANCE COUPON

| | | | |
|---|---------------------------------|-------------------------------|---|
| STATE PARCEL NUMBER | COUNTY PARCEL NUMBER 1501578 | TAX YEAR 2019 Payable 2020 | Late Payment Penalty: 5% penalty after May 11, 2020, if there is no delinquent amount; 10% penalty for previous delinquency or if payment is made after June 10, 2020 |
| TAXING UNIT NAME 900/900 WAYNE OUTSIDE | LEGAL DESCRIPTION | | |

TOTAL AMOUNT DUE by May 11, 2020**\$0.00**

KMART CORPORATION #3251
SEARS HOLDING CORP
TAX DEPT BC-151A
3333 BEVERLY RD
HOFFMAN ESTATES, IL

60179

(317) 327-4444 ■ Pay Online at: treasurer.indy.gov

Remit Payment and Make Checks Payable to:
MARION COUNTY TREASURER

P.O. Box 6145
Indianapolis, IN 46206

0120000000000015015788

COUNTY:49-MARION

FALL INSTALLMENT REMITTANCE COUPON

| | | | |
|---|---------------------------------|-------------------------------|--|
| STATE PARCEL NUMBER | COUNTY PARCEL NUMBER 1501578 | TAX YEAR 2019 Payable 2020 | Late Payment Penalty: 5% penalty after November 10, 2020, if there is no delinquent amount; 10% penalty for previous delinquency or if payment is made after December 10, 2020 |
| TAXING UNIT NAME 900/900 WAYNE OUTSIDE | LEGAL DESCRIPTION | | |

TOTAL AMOUNT DUE by November 10, 2020**\$15,796.56**

KMART CORPORATION #3251
SEARS HOLDING CORP
TAX DEPT BC-151A
3333 BEVERLY RD
HOFFMAN ESTATES, IL

60179

(317) 327-4444 ■ Pay Online at: treasurer.indy.gov

Remit Payment and Make Checks Payable to:
MARION COUNTY TREASURER

P.O. Box 6145
Indianapolis, IN 46206

0220000157965615015787

COUNTY:49-MARION

TAXPAYER'S COPY-KEEP FOR YOUR RECORDS

| | | | |
|---|---------------------------------|-------------------------------|--|
| STATE PARCEL NUMBER | COUNTY PARCEL NUMBER 1501578 | TAX YEAR 2019 Payable 2020 | DUE DATES SPRING - May 11, 2020 FALL - November 10, 2020 |
| TAXING UNIT NAME 900/900 WAYNE OUTSIDE | LEGAL DESCRIPTION | | |

| | |
|--|---------------------|
| PROPERTY ADDRESS 6780 W WASHINGTON ST | |
| PROPERTY TYPE Business Personal | TOWNSHIP 9-WAYNE |
| ACRES 0.00 | BILL CODE 811 |
| LOCAL HS 02.67/\$0.00 | |

KMART CORPORATION #3251
SEARS HOLDING CORP
TAX DEPT BC-151A
3333 BEVERLY RD
HOFFMAN ESTATES, IL

60179

DATE OF STATEMENT:9/23/2020

| TOTAL CHARGES | SPRING TOTAL | FALL TOTAL |
|-------------------------|---------------|--------------------|
| Tax | \$0.00 | \$0.00 |
| Other Assessment (OA) | \$0.00 | \$0.00 |
| Delinquent Tax | \$0.00 | \$15,791.56 |
| Delinquent Penalty | \$0.00 | \$2,368.74 |
| Delinquent OATax | \$0.00 | \$0.00 |
| Delinquent OA Penalty | \$0.00 | \$0.00 |
| Fees | \$0.00 | \$5.00 |
| Auditor Corrections | (\$2,368.74) | \$0.00 |
| Total Payments | \$0.00 | \$0.00 |
| Total Amount Due | \$0.00 | \$15,796.56 |
| Surplus | \$0.00 | \$0.00 |

Important Information

*To pay by eCheck, credit card or phone, sign up for e-billing, view tax statement or contact our office for more information visit treasurer.indy.gov or call 317-327-4444.

*Establish a payment plan or make partial payments. Any unpaid balance as of the due date will incur an additional penalties. Note: All payments are applied to oldest delinquencies unless directed in writing.

*You can receive your tax statement much earlier via e-mail delivery. Enroll online. Also view e-payment options at: treasurer.indy.gov